

## APPENDIX XI



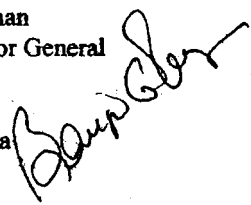
**U.S. Department of Justice**

**United States Marshals Service**

*Office of the Director*

June 10, 2002

**MEMORANDUM TO:** Guy K. Zimmerman  
Assistant Inspector General  
for Audit

**FROM:** Benigno G. Reyna   
Director

**SUBJECT:** Office of the Inspector General (OIG) Draft Audit Report, *The U.S. Marshals Service's Control Over Weapons and Laptop Computers*

Thank you for the opportunity to comment on the subject draft report. Each recommendation has been addressed in the attachment.

Should you have any questions or concerns, please contact Gary Mead, Assistant Director, Business Services Division, at 202-307-9395.

**Attachment**

cc: Gary Mead  
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Comments Regarding Recommendations of Draft Report:  
United States Marshals Service's  
Control Over Weapons and Laptop Computers

**Recommendation 1:**

Reiterate to all Property Custodians the importance of following property management guidelines and maintaining proper records to reduce future losses through undocumented transfers or disposals.

*Agree.* The necessary memorandum was distributed on April 16, 2002 (Attachment 1).

**Recommendation 2:**

Revise the USM-134 to include the date the loss was discovered, the NIC number for weapons losses, and the level of classification or sensitivity of information maintained on laptop computers or other equipment with data storage capability.

*Partially Agree.* The USM-134 will be revised to include the NIC number for sensitive property, e.g., weapons, by September 30, 2002. The date the loss was discovered corresponds to the date of the USM-134. Since lost property is to be reported immediately upon discovery of loss, the introduction of this additional data element will cause confusion.

With regard to adding a data element for the level of classification or sensitivity of information maintained on laptop computers or other equipment with data storage capability, the USMS concurs with this recommendation and will revise the USM-134 to include the level of classification or sensitivity of the information contained in lost or stolen equipment.

**Recommendation 3:**

Reiterate to all USMS employees the policy for reporting losses of USMS property, including the submission of USM-134s and timing of NCIC entries.

*Agree.* See Recommendation 1.

**Recommendation 4:**

Ensure that the Board of Survey promptly reviews all outstanding losses of weapons and laptop computers.

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*Agree.* The Board of Survey met on February 27, March 21, and May 22, 2002. All outstanding losses of weapons and laptop computers have been reviewed and adjudicated. We request that this recommendation be closed.

### **Recommendation 5:**

Institute a regular schedule for the Board of Survey to ensure timely review of lost and stolen property and require meeting postponements to be approved by the USMS Director or Deputy Director.

*Agree.* The Board of Survey has met three times this year and has decided to meet every other month beginning in May 2002. The schedule will be published as a Business Services Division program directive. Meeting postponements will be approved by the Assistant Director, Business Services Division, who also provides executive oversight of the Board.

### **Recommendation 6:**

Revise the Board of Survey policy to make the referral and adjudication of all weapons losses mandatory.

*Agree.* The Board of Survey policy will be revised by September 30, 2002.

### **Recommendation 7:**

Ensure the timely and complete submission of Department Theft Reports and that the Department is notified of previous omissions.

*Agree.* The USMS Security Programs Manager submitted all USM-134 property reports received from the Property Management Office to the Department Security Officer on February 20, 2002, as required by Department of Justice Order 2630.2A. Property reports will continue to be submitted expeditiously to the Department Security Officer upon receipt from the Property Management Office in compliance with DOJ policy.

### **Recommendation 8:**

Integrate the property management and accounting systems to ensure that all purchased accountable property is added to ARGIS.

*Agree.* The USMS is working to integrate its Property Management System (ARGIS) with its Financial Management System (STARS) at this time. A specific completion date will be determined after the USMS CIO vacancy is filled and the new CIO has the opportunity to review this project.

### **Recommendation 9:**

Instruct the Property Office to correct omissions identified in the property records, as discussed on pages 15 and 17.

*Agree.* All of the 19 omissions have been recorded in the property management system. Documentation is provided at Attachment 2.

### **Recommendation 10:**

Revise the policies and practices for documenting the return of property from separated employees to ensure that proper supporting documentation exists, including revising the USM-199 to expressly document the return of weapons and the signature of the Property Custodian.

*Agree.* The policy has been revised to simplify the collection of property to enhance policy compliance, strengthen the responsibilities of all parties involved, and define proper record keeping. The working draft is complete. The final draft will be submitted for formal agency policy review by May 31. In the interim, a memorandum has been disseminated to all managers, reminding them of existing policy requirements, with emphasis on documenting the return of weapons and laptops. This memorandum (Attachment 3) went out on April 15, 2002. In addition, HRD has clarified record keeping responsibilities within the Division in order to ensure proper maintenance of exit forms.

### **Recommendation 11:**

Ensure that inventories are conducted as required, including those that were suspended or postponed due to recent emergencies.

*Agree.* All required inventories have been scheduled and will be completed during fiscal year 2002. Documentation of completion will be provided on/about September 30, 2002.

### **Recommendation 12:**

Instruct the property office to begin prompting Property Custodians to take annual weapons inventories and institute a policy to ensure that related certifications are submitted and include the renewal of hand receipts.

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**Agree.** All Property Custodians have been reminded of the need to take annual weapons inventories. The policy changes will be included in a revision to the USMS Weapons Policy, on/about June 1, 2002.

### **Recommendation 13:**

Instruct the Property office to categorize stun guns and stun belts as accountable property and include them in the official property records.

**Disagree.** Stun equipment can readily be purchased through numerous law enforcement equipment suppliers and is not uniformly serialized. Additionally, sales are not governed by federal statute or regulation, and the equipment is inherently non-lethal. These devices are not considered dangerous weapons, are not capable of launching a projectile, are infrequently used, and when deployed, are used within the confines of the courthouse. The use of stun equipment within the USMS will be regulated by a new policy directive entitled *Less Than Lethal Devices*, to be issued on/about June 1, 2002. A copy of the draft policy directive is provided at Attachment 4. We request that this recommendation be closed.

### **Attachments:**

1. Re: Recommendation 1 and 3, Accountable Property Memorandum
2. Re: Recommendation 9, Omissions Identified in the Property Records
3. Re: Recommendation 10, 4/15/02 Memorandum, USMS Manual Section 3.8, Separating Employees and Form USM-199
4. Re: Recommendation 13, Draft Policy: Less Than Lethal Devices